

1           BEFORE THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2   IN THE MATTER OF:                   )  
   PROPOSED ISSUANCE OF PSD        )  
   PERMIT TO CORN PRODUCTS        )  
   INTERNATIONAL, INC.,            )  
   BEDFORD PARK                    )

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6                   REPORT OF PROCEEDINGS taken at the hearing  
   of the above-entitled matter, held at 6701 Archer Avenue,  
   Bedford Park, Illinois, before Hearing Officer Lisa  
   Moreno, reported by Janice H. Heinemann, CSR, RDR, CRR, a  
   notary public within and for the County of DuPage and  
   State of Illinois, on the 3rd day of March, 2004,  
   commencing at the hour of 7:00 p.m.

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14           APPEARANCES:

15               MS. LISA MORENO, IEPA Hearing Officer;  
   16               MR. ROBERT P. SMET, P.E., Bureau of Air;  
   17               MR. ANATOLY BELOGORSKY, P.E., Bureau of Air;  
   18               MR. BRAD FROST, Community Relations.

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1 HEARING OFFICER MORENO: Ladies and gentlemen,  
2 good evening. My name is Lisa Moreno. I'm an attorney  
3 with the Illinois EPA, not an air attorney, by the way.  
4 And I have here with me Mr. Bob Smet, who is with the  
5 Bureau of Air; and Mr. Anatoly Belogorsky on the other  
6 side, who is also with the Bureau of Air; and outside is

7 Mr. Brad Frost, our community relations guy, who puts this  
8 all together.

9 This is, as you know, a hearing being  
10 held by the Illinois Environmental Protection Agency for  
11 Corn Products' Argo Plant at 6400 Archer Avenue. Corn  
12 Products has requested a construction permit for a new  
13 coal-fired circulating fluidized bed boiler. This boiler  
14 will replace three existing coal-fired boilers and two  
15 existing natural gas-fired boilers. The new boiler is  
16 subject to the Federal New Source Performance Standards  
17 for industrial steam-generating units and is also subject  
18 to review under the Prevention of Significant  
19 Deterioration rules for carbon monoxide.

20 This is how I would like to proceed.  
21 First, Bob Smet will present the permit on behalf of the  
22 Agency. Then we have Mr. Mark Bosse and then Mr. Al Jirik  
23 from Corn Products, who will each make a presentation.  
24 And then after that, we have Mr. Gary Benedik, who is a

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1 village trustee from the Village of Lyons, who would like  
2 to make a short statement. Then I will go to the cards,  
3 which you have filled out.

4 (Discussion outside the record.)

5 HEARING OFFICER MORENO: As I said, the way I  
6 would like to proceed is first the Agency will present the  
7 permit, and that will be Mr. Smet, next to me; then Corn  
8 Products has a presentation, two of the members of Corn  
9 Products with us tonight, Mr. Mark Bosse and Mr. Al Jirik.  
10 Then we have a village trustee from the Village of

11 Lyons -- now, I don't know how well Bedford Park and Lyons  
12 get along -- he would like to make a short statement.

13 After that we will go to the cards. And I  
14 will ask each of you who want to speak to come up, and we  
15 will put the microphone up there, have you state your name  
16 and spell it for the court reporter, and then give your  
17 presentation or ask the questions that you have.

18 If you haven't filled out a card and during the  
19 presentation you hear something that you would like to  
20 comment on or you would like to ask a question about,  
21 please fill out a card.

22 The purpose of these cards is at the end of  
23 this proceeding we will take the transcript back and do  
24 what we call a Responsiveness Summary, which is

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1 essentially a document where we answer the questions and  
2 address the comments that we receive tonight and in  
3 writing. And what these cards allow us to do is to send a  
4 copy of the Responsiveness Summary to you so that you can  
5 then follow up and see what our response was.

6 And as I understand it, the Responsiveness Summary,  
7 which comes out at the same time as the permit, will also  
8 be available on the Agency web site.

9 The record closes when? It closes on April the 2nd at  
10 midnight, which means that any comments that you would  
11 like to send to the Agency after tonight's meeting have to  
12 be postmarked by midnight April 2. And you can send them  
13 to me, my name is Lisa Moreno, M-o-r-e-n-o, and in care of  
14 the Agency.

15                   Also, if you are coming up to speak and you  
16 have your prepared comments, it would be extremely helpful  
17 if you have copies if you would please give a copy to the  
18 court reporter, that way it will be easier for her to  
19 follow and make sure that everything is taken down.  
20 I will say this court reporter does a lot of hearings for  
21 us, and she is very good; so everything you say is going  
22 to be there.

23                   Again, what comes out of this process is a  
24 permit and, as I explained, the Responsiveness Summary.

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1   Now, on behalf of Director Cipriano, the Agency, and those  
2 of us who are here, I would like to thank you very much  
3 for coming tonight. And I would like to turn it over to  
4 Bob, who will present the permit.

5                   MR. SMET: Good evening. It is easier for me to  
6 just read this prepared statement because I can't rattle  
7 it off off the top of my head.

8                   My name is Bob Smet. And I'm a permit  
9 engineer in the Bureau of Air with the Illinois EPA; and I  
10 will be giving you a brief description of the Corn  
11 Products' project.

12                   Corn Products has requested a permit to  
13 construct a new coil-fired boiler. Corn Products operates  
14 boilers to supply steam and electricity to its  
15 manufacturing operations.

16                   The new boiler would be fired on coal as  
17 the primary fuel with natural gas used as the start-up  
18 fuel. The boiler would generally be designed for coal

19 mined in Illinois, with use of petroleum coke as  
20 supplemental fuel. The boiler would also have the  
21 capability to use biofuels such as corn kernels, cobs and  
22 cleanings, grain fibers or hulls, and similar materials.  
23 This new boiler would be a circulating  
24 fluidized bed boiler. It would be equipped with limestone

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1 injection to the bed, selective noncatalytic reduction,  
2 dry lime injection, and a baghouse. Ancillary operations  
3 would include coal, ash, and limestone handling and  
4 storage; a small cooling tower; and other minor  
5 operations.

6 The boiler will be subject to the New  
7 Source Performance Standards for Industrial/Commercial/  
8 Institutional Steam Generating Units. It will also be  
9 considered a new boiler for purposes of the National  
10 Emission Standards for Hazardous Air Pollutants for  
11 Industrial/Commercial/Institutional Boilers and Process  
12 Heaters, recently adopted by the USEPA last week.

13 In conjunction with the startup of the  
14 boiler, Corn Products will be shutting down its three  
15 existing coal-fired boilers and its two older gas-fired  
16 boilers. The proposed boiler is only a major modification  
17 for carbon monoxide under the federal PSD rules. By  
18 itself, the boiler would have potential annual emissions  
19 of sulfur dioxide, nitrogen oxides, and carbon monoxide  
20 that are each in excess of 100 tons per year. However,  
21 for all regulated air pollutants except CO, the project  
22 will be accompanied by a contemporaneous decrease in

23 emissions from the shutdown of the existing boilers, so as  
24 to net out of PSD. In particular, the project would

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1 result in a net reduction of over 7600 tons per year of  
2 SO<sub>2</sub> and 2300 tons per year of NO<sub>x</sub>, nitrogen oxide.

3           The proposed project would not be a major  
4 modification under Illinois' rules for nonattainment new  
5 source review. The project is located in an area that is  
6 designated nonattainment for ozone and particulate matter.  
7 As indicated in the application, the boiler would have  
8 potential annual emissions of volatile organic materials  
9 that are in excess of 25 tons and PM<sub>10</sub> in excess of  
10 100 tons. As a result of the shutdown of the existing  
11 boilers, the net change in VOM and PM emissions are such  
12 that nonattainment new source review is not triggered.

13           The proposed project would be considered a  
14 major source for emissions of hazardous air pollutants by  
15 itself without considering the reductions in emissions  
16 from shutdown of the existing boilers. For example, the  
17 potential HAP, hazardous air pollutant, emissions from the  
18 project will be greater than 10 tons of hydrogen chloride.  
19 Accordingly, the draft permit included a case-by-case  
20 determination under Section 112(g) of the Clean Air Act.

21           This determination is no longer relevant  
22 because USEPA adopted the MACT rules just a few days ago,  
23 MACT being Maximum Achievable Control Technology.

24           The Illinois EPA has reviewed materials

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1 submitted by Corn Products and has determined that the  
2 application complies with applicable state and federal  
3 standards. The conditions of the proposed permit contain  
4 limitations on and requirements for operation of this  
5 boiler. The permit would also establish appropriate  
6 testing, monitoring, recordkeeping, and reporting  
7 requirements. This includes continuous emissions  
8 monitoring for sulfur dioxides, nitrogen oxides, and  
9 opacity. Continuous emissions monitoring is also required  
10 initially for carbon monoxide, subject to further  
11 evaluation in the operating permit.

12 In closing, the Illinois EPA is proposing  
13 to grant a construction permit. We welcome any comments  
14 or questions from the public on our proposed action.  
15 Thank you.

16 HEARING OFFICER MORENO: Thank you.

17 Mr. Bosse, would you like to --

18 MR. BOSSE: If you can't hear me, say something,  
19 and I will try and talk a little bit louder.

20 Again, my name is Mark Bosse; and I work  
21 for Corn Products. I also live right down the road in  
22 Justice behind the fire station. And I have had the  
23 privilege for the last ten years to work across the street  
24 at Corn Products where I'm currently the plant safety

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1 environmental and security manager. What I would like to  
2 do is spend about the next three minutes to give you a  
3 little history of the plant, and tell you a little bit

4 more about what we do. And then I will let Alan Jirik  
5 explain the project in more detail.

6                   What we do at Corn Products is called corn  
7 wet milling. Basically what we do is we soak kernels of  
8 corn in hot water until they swell up, and then we drill  
9 them to separate out and process the different components.  
10 The importance is really made in resource. Each kernel of  
11 corn has a little bit of starch in it, and we separate  
12 that starch, we can convert it to sugar. The corn also  
13 contains a high-protein material called gluten, has fiber  
14 in it, and each little kernel of corn has a little drop of  
15 oil in it that we recover.

16                   From those corn kernels, we make  
17 ingredients that are used in foods, beverages,  
18 pharmaceuticals, papers, textiles, and adhesive. For  
19 example, some of the products we make, we make corn oil,  
20 of course. We make sugars that are used in soda pop and  
21 used by bakeries. We make things you wouldn't think of  
22 like we make the glucose that goes in the glucose IVs that  
23 they put in your arm to keep you alive in the hospital.

24                   Currently the Corn Products plant employs

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1 about 600 people. And that includes salaried people,  
2 union people, and contractors. In addition, there are  
3 about 170 people at a nearby bottling company that bottle  
4 corn syrup, corn oil, and package starch that they  
5 purchase from us and they sell it under a brand-name that  
6 you might be familiar with like Karo corn syrup, Argo corn  
7 starch, and Mazola corn oil. Forgot the big one, Mazola

8     Corn Oil.

9                     We have been an important part of this  
10    community since the last 100 years since the plant started  
11    operations in 1910. Legend has it that in the early days  
12    of flight when Charles Lindbergh used to fly mail up to  
13    Chicago he would look for our boilers, our old boiler  
14    stack, figure out where to turn and make his approach into  
15    Midway Airport. And even if it wasn't Charles Lindbergh,  
16    certainly for the first half of the century it was a  
17    landmark that pilots used before they got better  
18    navigation on planes.

19                    In the 1930s, when the two local banks  
20    failed during the depression, Corn Products bought them,  
21    consolidated them into the Argo State Bank, to protect the  
22    homes and savings of the local residents and our  
23    employees. And although we don't own that bank today, I  
24    believe it still exists; and it's now called the Argo

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1     Federal Savings Bank.

2                     VOICES: Harris.

3                     MR. BOSSE: Harris Bank. It's Harris Bank.

4     Thank you.

5                     Even today when you go down to the local  
6    post office to mail a letter, the postmark says Argo-  
7    Summit, which I think is a nice testament to the  
8    relationship between the plant and the community and  
9    something that's kind of unusual in a big urban area like  
10   Chicago.

11                    Last year Corn Products spent over \$10

12 million with minority and women-owned businesses. And in  
13 the local area, the Argo Plant spent about \$2 million with  
14 the locally owned business. That's not our total local  
15 spending, that's just our spending with locally owned  
16 businesses. And you can make a list, just run up Archer  
17 Avenue, like Wertz Rental, Wagner Lumber, Marlene's Bakery  
18 and Spring Forest Deli, Ideal Auto. And there is a list,  
19 a big group of businesses that every day we are buying  
20 goods and services from as part of the community.

21 And our employees, I don't know what to  
22 say about our employees. Last year our employees donated  
23 \$100,000 to the local United Way and other charities.  
24 That includes the company match, as part of our company-

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1 sponsored giving campaign that we have every year.

2 Now because Argo Plant is such an important  
3 part, important part to the company, this is our biggest  
4 plant, and of this community, we want to do everything we  
5 can to ensure its success. And that's why this project is  
6 so important to us. This project offers a long-term  
7 energy solution that will make our energy cost competitive  
8 in our industry. And that means a better chance that we  
9 can employ a lot of people with good jobs for a lot of  
10 years to come. And this is good for the environment in  
11 that it reduces emissions, which is good for our neighbors  
12 as well as our employees.

13 I personally think this will be a great  
14 project for this area, both economically and  
15 environmentally, because there will be a large decrease in

16 emissions. And economically I think it will be very good  
17 for the community, for the Argo Plant, for its employees,  
18 their contractors, and their families.

19 Thank you for letting me speak tonight.

20 And now I would like to introduce Alan Jirik, who will  
21 give you more detail for the reports in the project.

22 MR. JIRIK: Out of respect, so I can speak to  
23 everyone, this works a little better. Well, thank you.  
24 And how is that?

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1 Thank you and good evening. My name is  
2 Alan Jirik. I work for Corn Products. I'm responsible  
3 for regulatory aspects of the company and manage the  
4 environmental affairs for Corn Products. I want to speak  
5 briefly about the purpose of the project and some of the  
6 benefits that it brings.

7 As Bob had said, what we are proposing to  
8 do is voluntarily shut down three existing coal-fired  
9 boilers and two existing natural gas boilers and replace  
10 them with one modern circulating fluidized bed boiler with  
11 associated supporting equipment. There are no other  
12 changes to the plant. There are no other changes to the  
13 operation. So it's very simply, as I had said, one new  
14 boiler exchanged for voluntarily shutting down five other  
15 boilers.

16 The project generates a significant  
17 emission reduction, and you assess this by looking at the  
18 permitted emissions that our current boilers comply with  
19 and you compare that with the permitted emissions for the

20 proposed new boiler as contained in the draft permit.  
21 and by looking at that difference, you look at the  
22 different -- the differential effect on the environment.  
23 This project constitutes a voluntary  
24 reduction of over 9,000 tons of emissions. The major

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1 reductions in summary include for sulfur dioxide, 7,632  
2 tons of reduction; for nitrogen oxides, 2,352 tons of  
3 reductions; and for particulate matter, 399 tons. And  
4 those would be the largest. And again, you determine  
5 those reductions by looking at the current permitted  
6 emissions compared to the reduction required, as would be  
7 required of the new boiler.

8 One pollutant, carbon monoxide, does have  
9 an increase, that is 994 tons. The increase in carbon  
10 monoxide is incidental to the major reduction achieved by  
11 the circulating fluid bed boiler design. The way a fluid  
12 bed operates is you take coal and limestone, you mix it in  
13 a bed and fluidize it, and the combustion occurs in that  
14 environment. You get a very even temperature, very even  
15 burning, and this gives excellent environmental  
16 performance. It's a leading technology, but it's also a  
17 proven technology.

18 It's fairly well understood that to control  
19 nitrogen oxides, you reduce excess air. In all combustion  
20 processes, when you reduce excess air and you reduce the  
21 NOx, the trade-off is an increase in carbon monoxide. And  
22 one method, to compare, the 2,352-ton reduction in NOx is  
23 achieved and compels a 994-ton increase in CO. So the

24 reduction achieved vastly outweighed the benefit as a

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1 result of, again, starving down and managing the  
2 combustion.

3               We reviewed other fluid bed boilers with  
4 regards to their carbon monoxide controls. Our controls  
5 are consistent or better than what you see other modern  
6 units achieving. Those units were found to have applied  
7 BACT, and we feel this is comparable with those units and  
8 achieves the same goal.

9               An air quality study was requested by the  
10 EPA, and we did perform such a study. This was to assess  
11 the ambient effects of the carbon monoxide increase. That  
12 air quality study found that there were no effects or no  
13 concerns relative to the carbon monoxide increase. The  
14 study was submitted to the EPA, and that was my  
15 understanding, they did the independent verification.  
16 It's not our position that the company has reached that  
17 conclusion, but that was the understanding that I had  
18 regarding the air quality study.

19               An additional benefit that's worth noting,  
20 the project will also reduce ozone season precursor  
21 emissions. It will reduce them in the amount of 971 tons,  
22 which will be, again, beneficial as we work towards  
23 attainment.

24               Regarding MACT, as Bob alluded to, the

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1 proposed boiler will meet the boiler MACT. This is  
2 Maximum Achievable Control Technology. MACT, for those  
3 who may not be aware, imposes strict new federal emission  
4 limits on boilers. MACT addresses and limits hazardous  
5 air pollutants as United States Environmental Protection  
6 Agency scientists have deemed necessary and appropriate to  
7 protect human health. MACT also requires extensive  
8 testing and monitoring to assure compliance and detailed  
9 records, certifications, and reporting to document  
10 compliance.

11 MACT represents a much higher level of  
12 regulation than what is required of our current boilers.  
13 With regards to monitoring in addition to MACT, for the  
14 four major pollutants that would be emitted by the  
15 proposed CFB, those being sulfur dioxide, nitrogen oxides,  
16 particulate matter, and carbon monoxide, each of these  
17 permits will have a dedicated continuous emission  
18 monitoring system. These monitors will run whenever the  
19 proposed boiler is operating to measure emissions, which  
20 will document that the unit is in compliance with the  
21 limits set by the permit.

22 To place this project in perspective and  
23 summarize its effects, utilizing the same coal that we  
24 burn today but burning it in a new modern fluid bed boiler

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1 generates a 994-ton increase in carbon monoxide and a  
2 greater than 10,000-ton reduction in other pollutants,  
3 primarily sulfur dioxide, nitrogen oxides, and particulate

4 matter, for a net overall reduction of about 9,400 tons of  
5 pollution this project would remove from the environment.

6 In conclusion, we are very excited about  
7 this project. We are quite pleased about the significant  
8 emission reductions it brings to the Chicago area. Thank  
9 you.

10 HEARING OFFICER MORENO: Thank you.  
11 Mr. Benedik.

12 MR. BENEDIK: Hearing Officer Moreno, staff, and  
13 concerned residents here. Once again, if I'm not loud  
14 enough, please tell me, too. My name is Gary Benedik.  
15 I'm a trustee with the Village of Lyons. The Village of  
16 Lyons is just due north of here about I'd say three or  
17 four miles, population of about 10,000.

18 One of my responsibilities with the Village  
19 of Lyons is trustee liaison with the Environmental and  
20 Quality Control Commission. This Commission has been  
21 comprised of concerned residents that volunteer their time  
22 to ensure one's quality of life is maintained within this  
23 area, an area that has long proved to be a hot spot for  
24 poor air quality. The residents of the Village of Lyons,

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1 as well as residents of Bedford Park and Summit/Argo area,  
2 have had a long history of environmental issues, some of  
3 those issues have been resolved, thanks to the assistance  
4 of the IEPA, and some persist.

5 I understand Corn Products has been here  
6 for a long time and now seeks permission to build a new  
7 boiler that claims to substantially reduce air emissions.

8 Corn Products has also, for a long time, been known as  
9 being one of the facilities responsible for this area's  
10 history of poor air quality possibly causing many of the  
11 major health issues we now are aware of.

12 what I ask, as a local elected official, is  
13 that this panel ensure that the data Corn Products has  
14 provided is accurate; that when the application and permit  
15 is approved, the IEPA set special conditions to ensure  
16 that this project and any new equipment, in fact, reduces  
17 emissions as promised; and that with the knowledge of Corn  
18 Products being allowed to continue to emit harmful  
19 emissions, the next generation must also live in an area  
20 with a continued substandard quality of life. Thank you.

21 HEARING OFFICER MORENO: Do you have a copy?

22 Thank you, Mr. Benedik. Would you mark  
23 Mr. Benedik's statement as Public Comment No. 1 to be  
24 entered in the record.

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1 (Document marked as Exhibit No. 1  
2 identification, as of 3/2/04.)

3 MR. BENEDIK: Thank you.

4 HEARING OFFICER MORENO: Now, before I go to the  
5 cards, are there any other elected officials here who  
6 would like to be recognized on the record or who would  
7 like to say something?

8 If not, the first person I would like to  
9 call on is Mr. Michael Williams. Now, I would also ask if  
10 you are representing an organization or a group, when you  
11 come up, if you could please identify, if you are speaking

12 on behalf of them. If you could identify who, what that  
13 organization is, that will help out a lot. Thank you.

14 So Mr. Williams.

15 MR. WILLIAMS: My name is Michael Williams and  
16 I'm a resident of Bedford Park. One of my concerns is  
17 that I have lived here for 60 years and Corn Products has  
18 employed a lot of people but also has given a lot of  
19 pollution, plus a lot of other industry in this area, to  
20 the residents of Bedford Park. And one of my concerns is  
21 that the existing boiler facility has been there a long  
22 time. And if they are going to make this improvement, how  
23 much more is the air quality going to be for the residents  
24 of Bedford Park, Summit, Argo, Lyons, and the rest of the

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1 communities, plus the noise pollution?

2 One of my major concerns is that the plant  
3 when it overgenerates power it -- its policy, I would  
4 take, is to blow off existing steam. And sometimes it can  
5 take up to a half hour, 45 minutes or an hour, which is  
6 tremendous noise pollution as much as the air pollution.  
7 I would hope that with the new improvement of this boiler  
8 facility that the air quality and the noise pollution in  
9 the general area will be reduced. Thank you.

10 HEARING OFFICER MORENO: Thank you. Mr. Keith  
11 Harley.

12 MR. HARLEY: Ms. Hearing Officer, my name is  
13 Keith Harley. I'm an attorney at the Chicago Legal  
14 Clinic. I'm appearing tonight on behalf of the Lyons  
15 Incinerator Opponent Network. I'm joined by two law

16 clerks at the Clinic, Patrick Kennedy and Brian Toth, who  
17 have devoted many hours to reviewing the permit  
18 application and related documents that we acquired through  
19 the Freedom of Information Act, as well as the draft  
20 permit and the permits for similar facilities.

21 I have six very short comments to make  
22 tonight on behalf of the Lyons Incinerator Opponent  
23 Network, LION. I have additional comments that we'll put  
24 into the written comment area. Some members of LION are

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1 also prepared to make public comment addressing other  
2 aspects of this matter.

3 The first comment is this: The carbon  
4 monoxide limit in the draft permit does not meet the  
5 appropriate Best Available Control Technology standard.  
6 The draft permit has a CO limit of 0.15 pounds per mmBtu.  
7 There are several examples of BACT determinations for  
8 comparably sized circulating fluidized bed boilers using  
9 coal as their primary fuel source with good combustion  
10 practice as their control strategy that are more stringent  
11 permits. Notably, there have been two Illinois EPA BACT/  
12 PSD determinations by permit writer Chris Romaine and  
13 Shashi Shah, respectively, for coal-burning CFB boilers  
14 that impose a carbon monoxide limit one-third lower than  
15 the limit in the Corn Products' draft permit.

16 Both of these CFB boilers are located at  
17 the Archer Daniels Midland Decatur facility. Both were  
18 subject to BACT/PSD permitting. And in both cases, a CO  
19 limit of 0.1 pound per mmBtu was established. The permits

20 also were more stringent in terms of NOx emissions as  
21 well, using exactly the same technology as is being  
22 suggested in these existing permits.

23 Today I am requesting that two documents be  
24 made part of the record for this permit proceeding. The

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1 first is a construction permit, PSD approval for CFB  
2 boilers and other units at ADM's Decatur facility, issued  
3 May 13, 1997. The second document is also a construction  
4 permit for CFB boilers at ADM's Decatur facility issued  
5 June 10, 2002. As noted in both cases, the Illinois EPA  
6 determined that the appropriate CO limit for purposes of  
7 BACT was one-third lower than the limit established in the  
8 Corn Products draft permit.

9 In light of Illinois EPA's previous BACT/  
10 PSD determinations, and unless the draft permit is revised  
11 to incorporate the more protective CO standard, and now  
12 take a look at the NOx standard as well, this appears to  
13 constitute an issue for appeal to the Environmental  
14 Appeals Board if the permits are issued in their present  
15 form.

16 Second comment. The permit allows Corn  
17 Products to continue operating even when they have  
18 emissions in excess of their permit limits. One set of  
19 circumstances under which this can occur is during periods  
20 of malfunction. It appears that Illinois EPA's draft  
21 permit is significantly more lenient than Corn Products  
22 own request for a permit on the issue of operating during  
23 malfunction periods.

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24

1 Corn Products requests that the unit be allowed to operate  
2 while experiencing excess emissions during a malfunction  
3 period for up to 120 minutes in order to execute required  
4 repairs. By contrast, on page 9 of the draft permit, the  
5 Illinois EPA has provided for six hours of continued  
6 operations under these circumstances. That's four more  
7 hours of excess emissions per occurrence. It appears  
8 Illinois EPA has granted Corn Products permission to  
9 exceed its permit limits during malfunction periods for a  
10 period three times greater than Corn Products itself  
11 requested.

12 Third comment. On the issue of operating  
13 while experiencing excess emissions during startup  
14 periods, Illinois EPA's draft permit is illegally lax.  
15 The permit does not comply with USEPA guidance on excess  
16 emissions during startup periods. There are no time  
17 limits on the duration of excess emissions during startup.  
18 There are no limits on how far permit limits may be  
19 exceeded during startup. This is true even though Corn  
20 Products in its application proposed short-term emission  
21 limitations that should apply, quote, over the full  
22 operating range of the proposed boiler including startup.  
23 That's on page 47 of the application. Again, inexplicably  
24 it appears the Illinois draft permit is less protective

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25

1 than Corn Products' own proposal for a permit.

2                   Fourth comment. The draft permit allows  
3 for the use of but does not define biofuels. Instead of a  
4 definition, the draft permit only gives examples of what  
5 biofuels might be. On page 3, biofuels are described as  
6 materials such as corn kernels, cobs and cleanings, grain  
7 fibers or hulls, nutshells and, quote, similar materials,  
8 unquote. This is unacceptably vague. A definition is  
9 needed along with a protocol to ensure biofuels do not  
10 include materials that would subject this facility to the  
11 legally mandated siting and permitting requirements for a  
12 waste-burning facility. Any credible definition of  
13 biofuels should limit it to specific byproducts from Corn  
14 Products' on-site operations. A protocol should be  
15 developed to ensure biofuels are appropriate for efficient  
16 combustion in this type of unit, addressing issues like  
17 moisture content that are specific to this waste stream.

18                   Moreover, on page 21 of the draft permit,  
19 Illinois EPA allows Corn Products to add, quote, new  
20 types, unquote, of biofuel merely by providing notice but  
21 without obtaining Agency approval or offering an  
22 opportunity for Agency review in the form of a permit  
23 modification. Changing the type of fuel is a modification  
24 that should be subject to Agency review and pre-

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1 approval in the form of a permit modification. This is  
2 especially true in light of the absence of any existing  
3 definition of biofuel and any existing protocol to ensure  
4 the biofuel is a suitable fuel source.

5                   Comment five. This region is severe  
6 nonattainment for ozone. And this modification will lead  
7 to an increase in the emissions of volatile organic  
8 compounds, an ozone precursor. The draft permit analysis  
9 that this increase does not trigger nonattainment new  
10 source review is, of itself, incomplete. Under  
11 35 Illinois Administrative Code 203.207(d) this increase  
12 can only be considered de minimis when aggregated with all  
13 other net increases in emissions from this source over any  
14 period of five consecutive calendar years that includes  
15 the year in which such increase occurs. Moreover, the  
16 permit is expressly conditioned on a decrease in VOCs from  
17 a vegetable oil refinery unit. However, this change is  
18 described as proposed. To be credited, this decrease must  
19 be federally enforceable and in effect at the time actual  
20 construction of the new unit begins.

21                   My final comment -- thank you for your  
22 patience -- is this: Some members of the public may give  
23 testimony regarding other aspects of Corn Products'  
24 operations not strictly addressing the draft permit. For

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1 purposes of the record, I stress this information is  
2 legally relevant for two reasons. First, upon receipt of  
3 information, the Illinois EPA has a nondiscretionary duty  
4 to investigate an alleged violation of the Illinois  
5 Environmental Protection Act, a regulation or permit.  
6 Moreover, under newly enacted Senate Bill 1379, the  
7 Illinois EPA is allowed to consider an applicant's past  
8 history of compliance or noncompliance when determining

9 whether or not to issue, renew, or condition a permit.

10 Thank you for your consideration of my  
11 comments.

12 HEARING OFFICER MORENO: Thank you. I would  
13 like to have Mr. Harley's go in as public comment No. 2  
14 with two attachments. Attachment 1 would be the ADM  
15 permit. As attachment 1, the permit issued to ADM on  
16 May 1, 1997. And as Attachment 2, the permit issued to  
17 ADM on June 10, 2002.

18 (Documents marked as Group Exhibit  
19 No. 2 for identification, as of  
20 3/2/04.)

21 HEARING OFFICER MORENO: Kay Kulaga is next.  
22 Ms. Kulaga.

23 MS. KULAGA: Hello. My name is Kay Kulaga. I'm  
24 with SCORE, Summit Citizens Organized for Recycling and

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1 the Environment. The IEPA hearing today, Corn Products  
2 has played an important part in the history of Summit and  
3 the surrounding areas. They have been a force in four  
4 generations of my family starting with my grandparents.

5 when they decided to change over from coal  
6 furnaces to natural gas furnaces, we were thrilled. Corn  
7 Products has long been the number one offender in sulfur  
8 dioxide emissions in Illinois. Sulfur dioxide is a  
9 colorless gas belonging to the family of gases called  
10 sulfur oxides. It reacts on the surface of a variety of  
11 airborne solid particles, is soluble in water, and can be  
12 oxidized within airborne water droplets. The biggest

13 sources of sulfur dioxide are fossil fuel combustions,  
14 namely, coal burning; and this counts for 50 percent of  
15 annual global emissions.

16 Major health concerns are associated with  
17 the high combustion of sulfur dioxide that includes  
18 effects on breathing, respiratory illness, alterations in  
19 pulmonary defenses, and aggravation of existing  
20 cardiovascular diseases.

21 In the atmosphere, sulfur dioxide mixes  
22 with water vapors and produces sulfuric acid. This acidic  
23 pollution can be transported by winds over many hundreds  
24 of miles and deposited as acid rain.

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29

1 Corn Products' decision to keep using coal  
2 upsets me. They claim that new technology is available  
3 that will lower the emissions of sulfur dioxide. There is  
4 also a question about where they will get the coal. Will  
5 it be southern Illinois? I understand that the coal from  
6 there is very high in sulfur content. The governor would  
7 like to put the miners to work but at what health to the  
8 rest of the state?

9 What forced Corn Products to rethink the  
10 use of natural gas? The Washington politicians have  
11 forced up the cost and have given perks to the already  
12 rich energy companies. It seems that we need to change  
13 who is running our government.

14 There is also the carbon monoxide issue  
15 that will have an increase in emissions. If this new  
16 technology is so good, how can this occur? What about the

17 use of hexane? It is a clear, colorless liquid that is  
18 used to soften kernels and is bad for the environment.  
19 Hexane if inhaled causes irritation to the skin, eyes, and  
20 respiratory tract and affects the central and peripheral  
21 nervous systems. It is a major problem, and we are asking  
22 for a review to be done by Argonne Lab.

23 I request that the hearing officer allow  
24 all public comments made tonight relative in any manner to

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1 the permit issue, the health issue, BACT, ACT, and all in  
2 accordance with provisions in the Illinois Clean Air Act  
3 be in the minutes of the testimony.

4 If Corn Products gets this permit, it is  
5 the job of the IEPA to make sure that it is the very best  
6 technology available.

7 All we ask of Corn Products is to do right  
8 by the people who live and work in this area and be a good  
9 neighbor.

10 And I had a couple of more thoughts over  
11 here. Okay. At the February 6, '04, meeting, Alan Jirik  
12 stated that they tried about 42 different wind directions  
13 and could not do it, reduce the carbon monoxide emissions.  
14 Corn Products Engineer Jirik's statement causes questions  
15 as to whether or not they are using a process with that  
16 capability, let alone BACT.

17 The question is raised whether or not the  
18 fluidized process has the capability of reducing carbon  
19 monoxide emissions. Thank you.

20 HEARING OFFICER MORENO: And we will take that  
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21 as Public Comment No. 3.

22 (Document marked as Exhibit No. 3  
23 for identification, as of 3/02/04.)

24 HEARING OFFICER MORENO: The next card I have is

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1 for Miss Anne Oberbeck.

2 MS. OBERBECK: I don't have anything prepared,  
3 but here I go anyway. My name is Anne Oberbeck. I live  
4 in Summit and used to belong to an organization called  
5 SORE, Save Our Resources and Environment. And in the '70s  
6 we worked to -- I don't know what other way to put it --  
7 get rid of Fry Roofing, who was totally polluting our  
8 town, especially our park where our kids play ball. And  
9 we had to go all the way to the court downtown. I had  
10 never been in a courtroom in my life, but we won.

11 Then in I guess it was the '80s we were  
12 going to get an incinerator at the north end of Summit.  
13 And a lot of people got together, not only from Summit but  
14 Lyons and everywhere, the south side of Chicago here, and  
15 we didn't get the incinerator.

16 I have good and bad things to say about  
17 Corn Products since a lot of my family also worked there.  
18 My mother was an executive secretary there for 32 years.  
19 However, I am under the impression that they are one of  
20 the ten worst polluters in the state, no matter what they  
21 do or don't do. We are already in an area of  
22 nonattainment for ozone, so this is not going to help  
23 anything. And I cannot understand why they can't expend a  
24 little more money and stick with the gas-fired instead of

1 coal-fired because, like Ms. Kulaga said, using Illinois  
2 coal, that's probably one of the worst polluting coals  
3 there is.

4           In Summit, we already have another facility that  
5 was called Pilot Brothers and is now called Midwest  
6 Metallica. They take junk cars or they did, and the fluff  
7 or the inside of the cars is terribly polluting and  
8 they -- Summit has taken them to court, and one passes the  
9 buck from one person to the other. And we are still in  
10 court about that. I don't know what ever is going to  
11 happen about that.

12           But my son works for the Indiana Harbor  
13 Railroad in Argo and he has the pleasure, or whatever, of  
14 going past this place at night. And although people say  
15 it's just steam, it is not, it's smoldering fluff. And I  
16 don't know if anybody knows anything about that kind of  
17 pollutant, but it's pretty bad I understand.

18           So my son who is now 41, when we were doing Fry, said  
19 that if you picked a place to live, he said, "I don't want  
20 to make you feel bad, but you could not have picked a  
21 worst area to live in than where you live." And I live  
22 right in the middle of Summit on 57th Street. And we get  
23 a lot of the -- I call it smell but it's pollutant --  
24 from Corn Products depending on which way the wind blows.

1                   So for what it's worth, I would hope that  
2 they could do a little better with the emissions that  
3 they -- I think they could if they really wanted to.  
4 Thank you.

5                   HEARING OFFICER MORENO: Thank you very much.  
6                   And the next card is from Mr. Paul  
7 Mayerhof. Mayerhofer, I'm sorry.

8                   MR. MAYERHOFER: Hi. My name is Paul  
9 Mayerhofer. I'm also from Lyons, like Trustee Benedik.  
10 And I'm chairman of the Lyons Environmental Quality  
11 Control Commission. And I have a statement here that I  
12 would like to submit and be part of the record. And I  
13 also have a few comments and questions.

14                   Hearing Officer Moreno, the Illinois EPA  
15 staff, elected officials, ladies and gentlemen:

16                   We request Hearing Officer Moreno allow to  
17 state in these hearing records all information relative to  
18 Corn Product emissions, stack, and fugitive information  
19 relative to the PSD permit and any other CP, Corn  
20 Products, permits, which the Illinois EPA has indicated as  
21 having been received or not received by the Illinois EPA  
22 on processes currently being done by Corn Products.  
23 Illinois Clean Air Act allows our request.

24                   On about March 26, 2003, I was advised that

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1 via a FOIA that the Illinois EPA's response for Corn  
2 Products 2002 emissions; the data was stated as not  
3 received nor approved by the IEPA and that hexane emission  
4 data was not required. will it no longer appear on the

5 United States EPA emissions for Corn Products?

6 If so, do not let this happen. Speak up on  
7 our behalf. The 2001 hexane emissions of 740,000 pounds  
8 was over 50 percent of their emissions.

9 In the late 1990's a Cumulative Risk Report  
10 for northwest Indiana and Cook County, Illinois, issued by  
11 the United States EPA identified Corn Products' location  
12 as a hot spot when emissions from upwind of Bedford Park  
13 plus local emissions could put children and adults at  
14 health risk. The study group focused on the children.  
15 The hexane limits used by the United States EPA, about two  
16 times what Corn Products emits, were established a long  
17 time before the release of the CRR study.

18 For the year 2001, Corn Products, Corn  
19 Products' emissions total was 1,450,000 pounds of that  
20 amount. Hexane accounted for 90,000 pounds up the stack  
21 and 650,000 fugitive emissions, much more likely to come  
22 in contact with children and adults. Total hexane for the  
23 year was 740,000 pounds.

24 Some years back Bedford Park firefighters

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1 responding to a Corn Products call were exposed to hexane,  
2 then immediately rushed to a hospital for decontamination.  
3 Sometime after the Bedford Park residents complained of a  
4 large number of cancer cases within the area than would be  
5 normal. Both instances got a lot of publicity. Media  
6 mentioned hexane in the firefighter exposure cases, yet no  
7 one mentioned the word hexane in the cancer complaints.

8 Hexane is a carcinogen which can cause

9 reproductive problems, nervous system disorders, and many  
10 others. The hexane emissions went up 61 percent from 1988  
11 to 2001. Remember, the United States EPA limits were set  
12 long before the CRR was released.

13 It is time to review the United States EPA  
14 limits. It is time to ask Argonne Lab scientists to  
15 review what effects the hexane exposure, particularly  
16 fugitive emissions, could have and continue to have on  
17 children and adults when all other factors in the CRR are  
18 considered. We call upon the IEPA and the USEPA to do so  
19 using the same groups that made the Corn Products' study.

20 On 02/06/04, members of the Village of  
21 Lyons Environmental Commission and I, along with Lyons  
22 residents, attended Corn Products' outreach meeting with  
23 other residents and Corn Products' staff at the Bedford  
24 Park library. We were impressed as Corn Products Engineer

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1 Alan Jirik reviewed charts showing a comparison of the  
2 proposed new PSD standards. All factors other than carbon  
3 monoxide would be lowered, and then Corn Products current  
4 emission level -- excuse me -- all factors other than  
5 carbon monoxide would be lower than Corn Products' current  
6 emission levels. Hexane was not revealed and was not part  
7 of the PSD permit. We have no objections to these  
8 standards that reduce emissions unless they are not on par  
9 with industry throughout the state. Assuming that the new  
10 emission standards are at least equal to those in a like  
11 industry, we have no objection to them.

12 At the 02/06/04 meeting, Mr. Jirik also

13 spoke of a \$15 million thermal oxidizer, which Corn  
14 Products was using to burn off process gases, volatile  
15 materials, and some odors. At a later date Mr. Jirik  
16 explained to a concerned resident that the thermal  
17 oxidizer temperature was maintained at 1250 degrees and  
18 that the incinerated gases volatile materials would remain  
19 in the burner for about one and a half minutes. The heat  
20 is also used to generate process-related water.

21 On about 2/11/04 a Lyons resident called  
22 IEPA in Springfield to ask if an IEPA permit, construction  
23 and operating permit, was ever issued for a Corn Products'  
24 thermal oxidizer. A computer check for the past few years

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1 showed no IEPA permit application received or permit  
2 issued. It was asked if a more thorough check could be  
3 made. A week later a call was received, no record of a  
4 permit issuance on the system. And the engineer who  
5 handles Corn Products' applications could not recall a  
6 permit application for the thermal oxidizer.

7 We are asking the IEPA to completely  
8 investigate whether or not Corn Products applied for and  
9 received an IEPA permit for the construction and the  
10 operation of the thermal oxidizer. If not, is the thermal  
11 oxidizer being operated illegally?

12 Chapter 5 of the Clean Air Act requires a  
13 facility to New Source Standards if a major improvement is  
14 made at the facility. Little doubt of major improvement  
15 is left when one burner replaces five coal/gas burners,  
16 which provide service both to the plant and the corn

17 processing.

18 If Corn Products constructed a thermal  
19 oxidizer without a permit which meets the capability of  
20 the burner, there is no question the new source standards  
21 would apply.

22 Respectively submitted, Paul Mayerhofer,  
23 from the Lyons Environmental Commission.

24 I know it was kind of lengthy. I have a

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1 few questions. I don't know who I direct them to.

2 HEARING OFFICER MORENO: Ask the question and  
3 whoever --

4 MR. MAYERHOFER: I guess this would be for  
5 Mr. Smet.

6 MR. SMET: Okay. I will give it a shot.

7 MR. MAYERHOFER: You are the air permitting guy,  
8 right?

9 MR. SMET: One of --

10 MR. MAYERHOFER: And what I found disturbing is  
11 what Mr. Keith Harley said when he was up here, that a lot  
12 of the conditions that were put forth by Corn Products it  
13 seems like the IEPA is actually -- It's like almost  
14 giving them way more than they need, you know, as for when  
15 the burners are, you know, boilers are down, that they can  
16 emit more pollutants than they even actually asked,  
17 requested to permit.

18 MR. SMET: You are talking about the startup and  
19 malfunctioning?

20 MR. MAYERHOFER: The startup. And

21 malfunctioning is a big concern of mine. I don't have any  
22 records of malfunctioning at Corn Products, and I don't  
23 know if it's possible to get them; but I know that there  
24 are malfunctioning. There are malfunctions, right,

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1 Mr. Jirik, that do happen at the facility?

2 MR. JIRIK: We report those kinds of things.

3 MR. MAYERHOFER: But there are malfunctions,  
4 right?

5 MR. JIRIK: On occasion.

6 MR. MAYERHOFER: Okay. And I have a problem  
7 that the IEPA would actually soften and not make it more  
8 stringent, that that's very disturbing.

9 MR. SMET: Right. There are some regulations  
10 that allow for operation during malfunction and breakdown  
11 like the New Source Performance Standards. There is some  
12 allowance for that.

13 MR. MAYERHOFER: But the time limit is what I  
14 have a problem with. Like say if they are functioning and  
15 they want like an hour, and the IEPA is going to give them  
16 four or five hours--

17 MR. SMET: Right. We will, obviously, have to  
18 dig into that because the question is asked, kind of  
19 review the issue, no question about that. But my  
20 experience is that in some cases what you find is if we  
21 get more stringent on them and we don't necessarily have  
22 the, it's not -- how can I say -- the regulations allow  
23 for more, let's say, sometimes, if the company experiences  
24 breakdowns, and they can come back in and request, "Can we

1 operate more on this."

2 And we look at, "well, I guess the rules  
3 allow some latitude here," then we end up just giving it  
4 to them anyway. So it's kind of a somewhat negotiated  
5 thing to do so when you start up and malfunction.

6 Obviously, if they have a chronic history of  
7 doing something like that, we will crack down on  
8 something, you know, when we observe that through  
9 inspection process. Then we will say, hey, let's get it  
10 together. So there is kind of a balancing act.

11 MR. MAYERHOFER: Do we realize during a  
12 malfunction and how much of a certain particulate or CO,  
13 you know, or NOx, what is being emitted into the  
14 atmosphere at that time?

15 I mean is there, does EPA have a good idea  
16 that during certain malfunctions, what we are, you know,  
17 what we can be breathing that we shouldn't be breathing?

18 MR. SMET: They will have to do continuous  
19 emission monitoring, which will just document what's going  
20 on throughout that, you know. And in the worst cases, we  
21 have manufacturers' emission factors that will state just  
22 what the pounds of pollutants emitted per million Btu are.  
23 So we have two different ways to calculate what that  
24 number will be.

1 So when you take a look at this,  
Page 35

2 just get things kind of on the table here, of the  
3 pollutants that are emitted, the one you would rather see  
4 emitted more than the others, because it has much less  
5 effect on air quality and health, is CO.

6 We like to see the decrease in NOx and SO2.  
7 The CO national ambient air quality standard is one of the  
8 more lenient, if you will, only in that it takes a lot to  
9 have severe deterioration of the air quality. So you  
10 would rather see that relative to any of the other fuels.  
11 So, anyway, that's the issue on the CO thing I want to  
12 just bring out so --

13 MR. MAYERHOFER: Can I ask a few more questions?

14 MR. SMET: Sure.

15 MR. MAYERHOFER: Will there be more coal being  
16 burnt at the facility than there is now? Will there be  
17 more coal fed in on a daily basis than there is at the  
18 present time? And I also heard that coke will be used,  
19 too; is that true?

20 MR. SMET: Petroleum coke, yes. There will be  
21 some of that used in conjunction with coal.

22 As far as the usage of coal, to be honest  
23 right now, I don't know, I don't know what the throughput  
24 of coal is relative to what it was before. We think in

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1 terms of emissions relative to what they were doing  
2 before. So right off the top of my head, I don't know  
3 what the coal throughput is going to be relative to --

4 MR. MAYERHOFER: Would you know that, Mr. Jirik?

5 MR. JIRIK: Well, I would again, the emissions,  
Page 36

6 the emissions are the key. And as I had mentioned, we are  
7 looking at tons, thousands of tons of emission reductions.  
8 So what comes out of the stack is the key component and  
9 what the regulations address.

10 MR. MAYERHOFER: Okay. I also have some other  
11 concerns, one is safety at the plant. I know that over  
12 the last couple years that there has been certain  
13 contractors, and I know there are all different types of  
14 contractors there, but union contractors that are no  
15 longer, that are trained --

16 HEARING OFFICER MORENO: Excuse me. Excuse me.  
17 Mr. Mayerhofer, I think that safety issues at the plant --

18 MR. MAYERHOFER: I'm going somewhere with this  
19 if you let me finish.

20 HEARING OFFICER MORENO: If you can --  
21 Mr. Mayerhofer, please.

22 MR. MAYERHOFER: If you let me --

23 HEARING OFFICER MORENO: What I'm going to say  
24 is this sounds like it has absolutely nothing to do with

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1 the permit. Now --

2 MR. MAYERHOFER: Okay.

3 HEARING OFFICER MORENO: Now, is there at the  
4 end of this something that relates to the emissions and to  
5 the permit itself?

6 MR. MAYERHOFER: It would more relate to  
7 breakdowns and maybe startups when things aren't, you  
8 know, that -- And that would have something to do with  
9 emissions.

10 HEARING OFFICER MORENO: Okay. I will let you.

11 MR. MAYERHOFER: You know what, if you want me  
12 to just drop that question, I will.

13 HEARING OFFICER MORENO: No. No. I'm not  
14 trying to argue with you at all. I'm just trying to see  
15 where you are going because --

16 MR. MAYERHOFER: Well, I see a cost-cutting  
17 factor involved here. As you know, the plant is cutting  
18 costs in every direction they can. That's why they are  
19 going with this, I believe this coal system, instead of a  
20 natural gas. And actually, if it's all going to work out  
21 like you say it is -- and I think it might be a good  
22 thing -- but I'm very leery that it is, you know, what we  
23 are hearing for statistics and what's actually going to  
24 come out of this might be two different, two different

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1 things.

2 You know, as for the fluidized bed part of  
3 it -- And I know, Mr. Jirik, you explained to us about  
4 using some of the byproduct for gypsum and -- Could you  
5 explain that a little more how that, or does that have  
6 nothing to do with emissions?

7 MR. JIRIK: No. But -- Is it all right?

8 HEARING OFFICER MORENO: Well, if you would like  
9 to respond.

10 MR. MAYERHOFER: All right. I will take that  
11 one back, too. But I'm just concerned with what we are  
12 trying to do is there is a bottom line here, and that's  
13 why we are using the coke and the coal. And the coke and

14 the coal we know is not a very environmental way to run a  
15 facility. Natural gas is definitely a lot cleaner, and I  
16 just -- And I think we are going backwards. And if this  
17 is not, you know, directed towards Mr. -- It's more  
18 directed toward the IEPA.

19 HEARING OFFICER MORENO: Okay.

20 MR. MAYERHOFER: You know. But if that's it,  
21 then I will end it at that. I can see --

22 HEARING OFFICER MORENO: Okay. We will have  
23 this marked as --

24 (Document marked as Exhibit No. 4

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1 for identification, as of 3/2/04.)

2 HEARING OFFICER MORENO: And one thing I would  
3 like to say on the record, as I understand this testimony,  
4 the thermal oxidizer may not be -- As I understand this  
5 testimony, the thermal oxidizer that was just alluded to  
6 may not be a part of this permit. If it isn't, then we  
7 can receive this comment just as a general comment and  
8 pass it on; but it won't be part of the consideration for  
9 this permit, if it's not related to this permit. And I  
10 would just like to clarify that.

11 (Discussion outside the record.)

12 MR. SMET: On the issue of the thermal oxidizer,  
13 more than just it going on the record and everything and  
14 that we have to -- More than it just going on the record  
15 and everything, even if it wasn't, I'm the type that says,  
16 if this is a -- you know, an issue, I want to tie up the  
17 loose end and nothing else. I want to know, okay, what's

18 the story here because I don't like things like that  
19 hanging out there.

20 I suspect it might be tied in to some other  
21 permit elsewhere. And I'm going to have to dig in and  
22 just do a little detective work. Yes.

23 HEARING OFFICER MORENO: Mr. Jirik, can you  
24 clarify this for us?

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1 MR. JIRIK: Yes. I personally wrote the permit  
2 application for the RTO. I personally received the  
3 construction permit from Illinois EPA. The RTO is also a  
4 part of our Title V permit. So I can't explain, you know,  
5 what occurred, but I swear and tell you, I did write and  
6 receive a construction permit for it. And in fact, under  
7 Title V, the Agency strengthened some of the things we  
8 have to do. So when we converted to a Title V permit, it  
9 became stricter. And now I think we have to keep it at  
10 1400 degrees, so they made it hotter. So it's -- I sure  
11 would be glad to talk to you later, but you can look at  
12 our Title V. It's fully permitted so --

13 HEARING OFFICER MORENO: Thank you very much for  
14 this clarification, but it sounds like something that  
15 would be better pursued after, after the hearing. But  
16 thank you.

17 MR. JIRIK: I would be glad to help him locate  
18 that.

19 HEARING OFFICER MORENO: I understand. And my  
20 purpose here, because I was kind of confused, was to say  
21 that if this is -- If this is another issue, then it will

22 be dealt with in a different manner, that's all.

23 MR. JIRIK: Right. The RTO is not the subject  
24 of this application. It's not affected in any way by this

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1 application. It continues as is.

2 HEARING OFFICER MORENO: Okay. Thank you for  
3 that clarification.

4 We have two more cards. First I would like  
5 to call on Ms. Maureen Headington.

6 MS. HEADINGTON: I'm Maureen Headington,  
7 resident of neighboring Burr Ridge, a 20-year veteran of  
8 the Chicago Public Schools inner city, grassroots  
9 environmental activist, past director on the Board of  
10 Illinois Environmental Council for six years, and vice  
11 president for the last three of those years.

12 I worked on the successful 1996 repeal  
13 legislation of the Illinois Retail Rate Law and the  
14 successful end to shipments of napalm from California to  
15 Indiana via Illinois that were earmarked for burning in  
16 cement kilns. I worked to get the support of local  
17 government for tightening of the Federal Clean Air Act  
18 standards under President Clinton. And I am currently  
19 president of the Stand Up/Save Lives Campaign, a program  
20 of public education that has obtained resolutions of  
21 support from 96 governmental bodies representing more than  
22 4 million Illinois residents. These resolutions seek to  
23 end the grandfathering of old coal-fired power plants, of  
24 which Illinois has 24, from the strictest standards of the

1 Federal Clean Air Act.

2 My prestigious support includes the West  
3 Central Municipal Conference, the Du Page Mayors and  
4 Managers Conference, Lyons, Bremen, and Rich Townships,  
5 and the County Boards of Lake, Will, DuPage, and Kane, as  
6 well as individual villages, towns, and cities too  
7 numerous to mention. I currently do paralegal work for my  
8 husband's law firm, but all of my environmental  
9 initiatives have been voluntary and I receive no  
10 compensation for them.

11 I have focused on clean air issues because,  
12 to borrow a slogan from the American Lung Association, I  
13 quote, when you can't breathe, nothing else matters.

14 I am here today to talk about breathing,  
15 what we in communities of the western suburbs of  
16 metropolitan Chicago are breathing. With just a little  
17 bit of research, you will learn that in this zip code of  
18 60499 or in my own zip code, 60527, that the quality of  
19 the air we breathe ranks in the worst 10 percent of this  
20 nation. Yes, 90 percent of the country breaths air that  
21 is of a better quality. Old coal plants contribute  
22 enormously to destroying our air quality giving us  
23 pollution that includes NOx, SOx, carbon dioxide, mercury,  
24 and particulate matter.

1 Asthma rates have reached epidemic

2 proportions with over 238,000 children in Illinois alone.  
3 A study released by Abt & Associates in October 2001,  
4 titled, "Death, Disease, and Dirty Power" revealed that we  
5 lose 1700 Illinois residents yearly due to air pollution  
6 and that the Harvard School of Public Health says we lose  
7 60,000 residents nationwide yearly due to deaths triggered  
8 by air pollution. why that is more lives lost on a yearly  
9 basis than we lost in the combined wars of Vietnam and  
10 Korea.

11 Yes, heart disease, lung disease, and  
12 asthma can be deadly. But chronic conditions such as  
13 upper respiratory infections, sinus infections, and  
14 allergies can make the life one still has quite miserable.  
15 We are smart enough to do it better.

16 I am not anti-industry. I do support  
17 industry that in the course of doing their business they  
18 should seek to replace or restore that which they destroy.  
19 In the year 2001, this county ranked among the dirtiest or  
20 worst 10 percent of all counties in the United States in  
21 terms of air releases.

22 Based on the EPA's most current data, this  
23 county ranked among the dirtiest or worst 10 percent of  
24 all counties in the U.S. in terms of the numbers of people

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1 living in the areas where cancer risks from hazardous air  
2 pollutants exceeds one in 10,000.

3 Corn Products ranked as it -- ranked in its  
4 zip code as the number one polluter in reporting  
5 environmental releases from TRI sources in 2001 at

6 1,453,055 pounds. Further, Corn Products ranked in the  
7 worst 10 percent nationwide for total major chemical  
8 releases. Sorted by health effect, Corn Products'  
9 pollution releases totaled 241 pounds of recognized  
10 carcinogens, 260,059 pounds of suspected carcinogens,  
11 790,000 pounds of developmental carcinogens -- toxicants,  
12 excuse me, 453,050 of suspected gastrointestinal or liver  
13 toxicants, 791,050 pounds of suspected neurotoxicants,  
14 790,809 pounds of suspected reproductive toxicants, and a  
15 whopping 1,452,814 pounds of suspected respiratory  
16 toxicants.

17 The chemical hexane is emitted during  
18 processing. Yes, 761,134 pounds of this highly toxic  
19 chemical were released during 2001, and it ranked second  
20 only to glycol ethers in volume. Hexane is a suspected  
21 developmental toxicant, a neurotoxicant, a reproductive  
22 toxicant, a respiratory toxicant, and a skin and sense  
23 organ toxicant. It is more hazardous than most chemicals  
24 in three out of the seven ranking systems. In fact,

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1 fugitive emissions of hexane increased by 61 percent  
2 during the period from 1988 to 2001. I could go on, but I  
3 think you get the pictures.

4 while I commend Corn Products on their  
5 planned improvement of fluidized bed technology, what are  
6 your plans for reducing hexane emissions? what are your  
7 plans for reducing carbon monoxide emissions? If the new  
8 technology does not address these components of air  
9 pollution, what will they do in addition in order to

10 adequately address them? What measures would the Illinois  
11 EPA take to ensure that these improvements actually take  
12 place? Why are not the limits for various pollutants  
13 standardized throughout the state? What is intolerable  
14 for one community should be intolerable for all  
15 communities.

16               The Illinois EPA should be looking extra  
17 carefully at Corn Products as a corporation undertaking a  
18 major change in order to ensure the safety of its  
19 citizens. The public deserves nothing less. It seems to  
20 me that if we were to err at all, it should be on the side  
21 of caution. We are certainly smart enough technologically  
22 to remove all emissions. Studies by the EPA and others  
23 show that for every \$1 spent on pollution control  
24 technology there is as much as a \$44 savings if you were

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1 to add up our pocketbooks, the cost of time off work due  
2 to illness of a wage earner or a family member because one  
3 is a caregiver.

4               Doctor bills, hospital bills,  
5 pharmaceutical bills, these things all add up and so  
6 there -- It makes economic sense to put in the kinds of  
7 technology that would get rid of all emissions.

8               When my husband and I first moved to Burr  
9 Ridge, we were keenly aware of the terrible and noxious  
10 odors that prevailed enough so that I made a concerted  
11 effort to keep windows closed and minimized our time  
12 outside on those days. While no one seemed to know  
13 exactly where these odors came from, the mystery was

14 solved when I attended a public hearing at the Argo Summit  
15 High School when that same odor greeted me but with far  
16 greater intensity. And I was told, "Oh, that's Corn  
17 Products."

18                   Is it right that residents should be held  
19 hostage by odors emanating from a neighborhood business?  
20 I am well aware that because of rulings that defy logic in  
21 terms of undermining public health such as New Source  
22 Review at the federal level that increases in pollution  
23 are likely. Concepts such as the use of Best Available  
24 Technology need to be more than mere words bandied about

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1 and anything less than the best is unacceptable. Simple  
2 remedies such as pollution trading credits do not satisfy  
3 constituencies that are inundated by industry. We end up  
4 with the lion's share of air pollution while other  
5 communities, those away from areas impacted by these  
6 industries sell their credits and enjoy the benefits of  
7 cleaner air.

8                   There are enforcement issues when fugitive  
9 emissions, whether of hexane from Corn Products or of  
10 other pollutants such as mercury, impact our communities.  
11 Programs of self-monitoring coupled with lax enforcement  
12 are a recipe for disaster. For example, the Midwest  
13 Generation coal-fired power plants, with which I'm very  
14 familiar, according to FOIA'd information from the  
15 Illinois EPA had over four thousand -- exactly 4,311  
16 exceedances of the Federal Clean Air Act during an  
17 18-month period. The company was quick to point out that

18 1,352 of these were forgiven because they were during  
19 startup. What difference does it make to the people  
20 living downwind, down the street, or even miles away  
21 whether these dangerous emissions occur during startup or  
22 at some other acceptable time? In actuality, the most  
23 dangerous emissions fall within a 30- to 50-mile radius  
24 but can travel hundreds and even thousands of miles as

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1 well. My clean air campaign works within the system to  
2 give a voice to a growing course of populace that has  
3 become aware of the dangers of air pollution and have  
4 chosen to collectively make their voices heard. You see,  
5 environmental issues are fast becoming mainstream issues.  
6 And speaking of streams, there is a parable  
7 that comes to mind about a village along a river, the  
8 residents who lived there, according to parable, began  
9 noticing ever increasing numbers of drowning people caught  
10 in the river's swift current. And so they went to work  
11 inventing ever more elaborate technologies to resuscitate  
12 them. And so preoccupied were the villagers with rescue  
13 and treatment that they never thought to look upstream to  
14 see who was pushing these victims in. The issues before  
15 you regarding Corn Products is a walk up that river.  
16 Thank you.

17 (Document marked as Exhibit No. 5  
18 for identification, as of 3/02/04.)

19 HEARING OFFICER MORENO: I have one more card.  
20 Mr. Mark Turlek.

21 MR. TURLEK: Good evening. My name is Mike

22 Turlek. I live in the village of Lyons, Illinois. You  
23 know, I'm somewhat confused. And I wish some of the  
24 documentation would clear this up. Now, I looked at the

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1 Corn Products' emission and the U.S. 201 report; and they  
2 talk about one million four something pounds emissions for  
3 the year. Now, I hear talk of 900 tons, thousands of  
4 tons. Now, some of the people sitting here and the  
5 gentlemen here that are from the Village of Bedford Park,  
6 is this an annual reduction of thousands of pounds? I'd  
7 like to clear that up.

8 MR. JIRIK: The numbers that I cited --

9 MR. TURLEK: In one year?

10 MR. JIRIK: -- were annual. So they would be an  
11 annual recurring --

12 MR. TURLEK: Thousands of pounds?

13 HEARING OFFICER MORENO: Per year.

14 MR. JIRIK: The numbers that I had stated were  
15 tons, not pounds.

16 MR. TURLEK: How many tons would you reduce in  
17 one year?

18 MR. JIRIK: Those were the -- The numbers that  
19 I provided would be --

20 MR. TURLEK: In thousands of --

21 MR. JIRIK: No. In tons, thousands of tons  
22 annually, so each year.

23 MR. TURLEK: So how many thousands would you  
24 say?

1 MR. JIRIK: Well, the numbers contained in my  
2 testimony, it's the net. If you take all the pluses and  
3 all of the minuses --

4 MR. TURLEK: Okay.

5 MR. JIRIK: -- Clean Air Act regulated criteria  
6 air pollutants, it's approximately 9,400 tons on an annual  
7 occurring basis.

8 MR. TURLEK: In one year. Now, on  
9 Reportcard.com, I read a figure, it says total tons for  
10 the year -- and you may be able to correct me, and the  
11 documents the USEPA is putting out -- it says, total tons  
12 for the year, 1,400 some odd thousand pounds. Should that  
13 be --

14 MR. SMET: We are talking about the toxic  
15 emission inventory?

16 MR. TURLEK: No. I'm talking about toxic total.  
17 Tons compared tox --

18 MR. SMET: You see, Alan is talking about tons  
19 of NOx.

20 MR. TURLEK: Okay.

21 MR. SMET: CO, things like that. You are  
22 talking about hexane and other toxic chemicals.

23 MR. TURLEK: Okay.

24 MR. SMET: So this is relating to the boiler.

1 what you are talking about is related to --

2 MR. TURLEK: Okay.

3 MR. SMET: -- extraction, so there are two  
4 separate.

5 MR. TURLEK: So there is 1,400,000 toxic pounds  
6 of pollutants?

7 MR. SMET: Correct.

8 MR. TURLEK: In other words, approximately 700  
9 tons of body-deteriorating, possibly body-deteriorating  
10 pollutants.

11 MR. SMET: That's correct. That's reported on  
12 the report.

13 MR. TURLEK: Thank you very much. I wanted that  
14 clarified. I was a little confused on that.

15 I do want to make something clear. I have  
16 heard a lot of good comments here. But if I were to take  
17 your five burners now, coal gases, and shut them down  
18 completely, Corn Products would have no lights, no ability  
19 to run their corn -- unless that thermal oxidizer creates  
20 enough hot water to run the corn processes, I don't know,  
21 but I would say, wow, what a major disaster. Now, in  
22 compliance with Chapter 5, I would say, wow, what a major  
23 improvement?

24 Am I right or wrong? This is something

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1 IEPA has got to look at very closely. I have lived here a  
2 long time. And I'm here tonight primarily for the reason  
3 of the Bedford Park residents. The gentleman here and the  
4 others, who was mentioned a little while ago, cried out,  
5 nobody listened. And today nobody even knew. And to put  
6 it bluntly, sir, nobody cares, nobody cares.

7                   we are specifically asking for a review of  
8 the hexane issue and other related pollutants by the  
9 people that did the Cumulative Risk Analysis in the mid  
10 '90s and finished in the late '90s by that group. Because  
11 they have the familiar groundwork, and then they can work  
12 with whatever is available from that point on and say,  
13 hey, you are as clean as a bird, you have no problems. I  
14 would love to see that. That's what we are asking for.

15                   And as far as the New Source Review, very  
16 specifically, I would say, I would bet dollars-  
17 to-doughnuts you have a New Source facility on your hands  
18 here. But you know what you are doing? (Indicating.)  
19 That's what you are doing. And I regret that very, very  
20 much, sir. I'm finished.

21                   HEARING OFFICER MORENO: Thank you. We have  
22 exhausted the cards. Is there anyone else who would like  
23 to make a statement?

24                   MR. ZILKA: I'm Dick Zilka, president of the

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1 Clearing Civic League, southwest side of Chicago. And I  
2 want to say one thing. We fought -- We want to keep this  
3 air clean. We fought with the help of the EPA Bedford  
4 Park incinerator and also the Summit incinerator took us  
5 five, six years, so we want to keep this air clean. And  
6 if they are going to clean the air up, we are for it. But  
7 there are a lot of questions. What's this hexane I keep  
8 on hearing? What is the total, you know, coming out of  
9 that?

10                   MR. JIRIK: Is it appropriate? I can give you a  
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11 little background on hexane.

12 MR. ZILKA: Well, we don't know.

13 HEARING OFFICER MORENO: Wait.

14 MR. JIRIK: Well, it's -- You can go ahead,  
15 whatever. I will talk a little bit, that's all right.  
16 The hexane is not related to the boiler. As Bob had said,  
17 they are different operations. The hexane unit is not  
18 affected by the boiler project.

19 If I can do one little minor detour and,  
20 again, it's just to help everyone understand, we do have  
21 two gas boilers that we are going to continue to run.  
22 Today we are a mixed coal and gas operation. Were this to  
23 be approved, we would continue to be a mixed coal and gas  
24 operation. So I just wanted to make that point clear.

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1 Now, again, the hexane is a different unit.

2 MR. ZILKA: It's not part of the permit, though.

3 MR. JIRIK: But on April 12th of this year,  
4 there is another MACT standard. And it takes effect and  
5 becomes a requirement on April 12, 2004. And it requires  
6 all regulated entities, and we are one, who come into  
7 compliance with this new federal standard. It was  
8 promulgated by USEPA. It was following the MACT  
9 prescription where, if I recall, if this is more than I  
10 believe 30 sources in a category, you have to perform  
11 based on the 88 percent best.

12 And don't hold me to that, but I think  
13 that's what Title III of the Clean Air Act is, I --

14 MR. HARLEY: 12 percent.

15 MR. JIRIK: Something like that. So, yes, we  
16 are set. I get back to the summary of it. I didn't mean  
17 to get into details. But it's going to require us to  
18 reduce our hexane emissions in concert with all others who  
19 use this as a nationwide standard to reduce hexane.

20 MR. ZILKA: April 12.

21 MR. JIRIK: April 12 it begins. Now, when you  
22 look at Title III under MACT, after EPA has promulgated  
23 all of the MACT standards, I believe Congress inserted a  
24 provision called residual risk. So after they have

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1 completed that, and they are under court deadline to  
2 finish that activity. Now, the boiler one just came out  
3 as a part of IEPA finishing it off. Then there is whole  
4 other round of residual risk where the things you have  
5 been asking for Congress has already prescribed, that the  
6 EPA must do a residual risk. And I believe the Clean Air  
7 Act says that if they find unacceptable risk then they  
8 must go beyond MACT.

9 So, I don't know, I don't track USEPA, I  
10 don't know, you know, the schedule of those things. But  
11 again, there are things on the books, things that are  
12 moving forward, this standard takes effect. The boiler  
13 one has now been signed. And April 12 the MACT becomes  
14 effective. So just a little bit of background, because I  
15 had some involvement in that also, if that's helpful.

16 And on these other things, Corn Products is  
17 always glad to talk, always is available as we were with  
18 the outreach and, you know, we make the time to talk.

19 MR. ZILKA: Thank you very much. And thank you  
20 for giving me the time.

21 (Discussion outside the record.)

22 HEARING OFFICER MORENO: Is there anybody else,  
23 anybody who hasn't commented who would like to comment?

24 Is there anybody who has commented who

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1 would like to say something else?

2 MR. SCHREIBER: Wait. I'll comment.

3 HEARING OFFICER MORENO: Okay. Now, could you  
4 identify yourself for the record.

5 MR. SCHREIBER: My name Frank Schreiber, I live  
6 in Chicago. I'm a resident. Okay. I'm sure that all of  
7 the estimates and all the emissions and everything that  
8 Corn Products put out for their presentation in here are  
9 made out of good coal. And if they are going to use the  
10 Illinois high sulfur coal, that is going to change the  
11 emissions and what they propose is going to come out of  
12 the incinerator. So I think that it should be specified.  
13 If they are going to run this burner, it should be  
14 specified to run on a nonhigh-sulfur coal.

15 And another thing, if they are going to  
16 start burning these nutshells and all this other stuff in  
17 the incinerator, this thing is going to be more like a  
18 trash incinerator than it is going to be a boiler. And  
19 how will this affect emissions of anything coming out of  
20 the incinerator if they are going to add other products  
21 besides what they specify is the coal and the gas, and how  
22 is them other products going to affect the emissions

23 coming out of the chimney?

24 MR. TURLEK: I just have two quick comments to

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1 make, and one of them is on BACT. I really get confused  
2 on Best Available Control Technology. We use the term  
3 Best Available Control Technology in the permit and what I  
4 have heard tonight, and I'm a little confused as to what  
5 it is.

6 Here is my assumption of Best Available  
7 Control Technology, it is something that will allow all  
8 federal standards of PSDs to be met with little or no  
9 problem. And I'm not going to ask questions. I'm just  
10 going to give you my belief and what I think it is. And I  
11 may be wrong. I'm a layman. But going back to a meeting  
12 we attended on February 6 where Mr. Jirik had stated that  
13 he has given to IEPA various model documents that have  
14 shown they are not able to meet the carbon monoxide  
15 standards because of the process limitations shown within  
16 the documents given, air drafts, whatever else they have  
17 to submit.

18 Now, this is where I get lost. This system  
19 is touted both by IEPA and the applicant as Best Available  
20 Control Technology. But the applicant says, I cannot meet  
21 carbon monoxide because this system doesn't permit it. I  
22 would say, in assuming, that that is not Best Available  
23 Control Technology. And I would say you look very, very  
24 closely on that before you start requiring anyone else to

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1 do the same thing, or you look at the other people who are  
2 doing the same thing and say why can't you do it when you  
3 have got the Best Available Control Technology. And if  
4 not, then please make sure I get a note of what it's done.

5           The other thing I would ask is the thermal  
6 oxidizer, it is very much a part of the system. If I'm  
7 wrong -- if I'm not wrong, the gases, the volatile matter  
8 and whatnot, flow into the thermal oxidizer and are burned  
9 up within the oxidizer. So one system can't work without  
10 the other.

11           But be that as it may, if there is an  
12 application been put in, could you mail me a copy of that  
13 or maybe if it might have been confused with other  
14 documents that were with it like an application to let  
15 more hot water here or there or something like that, would  
16 you see to it that I get a copy of that, please. Those  
17 are the only comments I have. And that's it.

18           HEARING OFFICER MORENO: Okay.

19           MR. TURLEK: Thank you very much. Appreciate  
20 that.

21           MS. KULAGA: I just want to ask a quick  
22 question. Alan, are they going to burn -- Okay. In this  
23 burning of the products, are they going to burn about all  
24 of their waste garbage in this as fuel, like the corn

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1 kernels or like you say peanut shells, like Skippy? will  
2 they burn all the waste products?

3 MR. JIRIK: No. May I --

4 HEARING OFFICER MORENO: Please. Please.

5 MR. JIRIK: The "eg." language in the permit was  
6 an attempt to characterize that it would be natural  
7 materials, things like, you know, like a corn cob, if we  
8 get some cleanings, those kinds of things, and that's it.  
9 so nothing of the nature that you are speaking of, no.

10 It is meant on the natural renewables,  
11 which we felt was positive, rather than taking the plant,  
12 fill space with, you know, like dried corn or corn cobs or  
13 that type of a thing.

14 MS. KULAGA: So you burn all of that stuff?

15 MR. JIRIK: Well, that would be the thought and  
16 that was the concept and where we had that, I think it was  
17 i.e., or eg., language it was characterized a natural  
18 renewable kind of material.

19 MR. MAYERHOFER: Can I get up one more time?

20 HEARING OFFICER MORENO: Sure.

21 MR. MAYERHOFER: Thank you. I didn't get this  
22 before but Mrs. Headington brought this up about living in  
23 Burr Ridge and the wondering where the odor was coming  
24 from. And I have to ask this because, if not, I'm going

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1 to wonder why I didn't ask it; but does the process that  
2 you have been running with the boilers, what causes, like  
3 we say if somebody says, ah, it smells like Corn Products,  
4 what causes that odor? And is it from the boilers that  
5 run now, or is it some other process in the plant that  
6 causes the Corn Products' odor? I mean you have --

7 Mark, is it?

8 MR. TURLEK: Yes.

9 MR. MAYERHOFER: Right. I mean you know when  
10 you go around the plant like where an odor might be coming  
11 from because that's part of your job, right? Do those  
12 boilers that are operating now cause, say, that corn smell  
13 or some of the other chemical smells that come out of Corn  
14 Products?

15 MR. JIRIK: No. The boilers are not, the  
16 boilers are not known to be a source of odor. I'm not  
17 aware that ours cause any odor. And you know, one of the  
18 assurances in my earlier comments, we are not making any  
19 other changes to the plant.

20 MR. MAYERHOFER: So the other odors will still  
21 be there. My concern is that there is a law on the books  
22 that if there is a facility putting out an odor that is  
23 against the law, that is a nuisance. And the EPA and  
24 actually Cook County, Department of Environment, are

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1 supposed to follow up on that and find the source of that  
2 odor. And the company that is putting out the odor is  
3 either fined or cited. And if there are, you know, more  
4 odors and more fines and more cite, you know, citations,  
5 it can become a problem.

6 And over the years we have gotten  
7 accustomed to the odors. And I was just wondering is  
8 there anything that Corn Products can do to eliminate  
9 those odors.

10 And also I know that when you do burn coke

11 and coal, and I'm hoping that this system works like you  
12 say it's going to, that there has been other past systems  
13 like vulcan Materials that were running coke and coal and  
14 we were getting a high sulfur odor from that facility.

15 MR. JIRIK: You shouldn't be receiving a SO2  
16 odor. The SO2 emissions will be reduced. And again,  
17 boilers are not the source of odors.

18 MR. MAYERHOFER: So that the odor thing is a  
19 whole other problem, a whole other, what would you say,  
20 issue?

21 HEARING OFFICER MORENO: Sure.

22 MR. MAYERHOFER: Okay. So we don't talk about  
23 odor tonight. Okay. I would just like to know where the  
24 sources are and how they can be controlled.

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1 HEARING OFFICER MORENO: Well --

2 MR. MAYERHOFER: Mr. Jirik, if you don't mind,  
3 what is it that we are smelling when we do smell those  
4 odors? You know, what --

5 MR. JIRIK: I'm sorry. I was writing your  
6 question, I was trying to take some good notes. We had a  
7 lot of testimony about this particular zip code. And one  
8 of the things I would point out is there are a lot of  
9 facilities besides Corn Products in this area.

10 MR. MAYERHOFER: Okay. I understand that.

11 MR. JIRIK: So I -- And it's easy to say, Oh,  
12 here is a very large company. I would point out that back  
13 in the mid 1990's we made a significant capital  
14 investment, part of which was the RTO that made --

15 MR. MAYERHOFER: Can you explain what RTO means,  
16 please.

17 MR. JIRIK: Regenerative thermal oxidizers, and  
18 we did get a permit for it. That had a dramatic effect in  
19 terms of reducing the odors. If you look at the  
20 literature, the corn wet milling industry, the dryers are  
21 the primary source of odors. All of those gases go  
22 through an RTO, which our Title V permit added additional  
23 requirements and additional restrictions to assure the  
24 good operation of that device to properly treat that

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1 source.

2 So for Corn Products, those sources are  
3 state-of-the-art controlled within the corn wet milling  
4 industry. We understood anecdotally that that was very  
5 well-received in the neighboring community, again going  
6 back to the mid 1990's as a very positive.

7 And Kay, I'm not trying to put you on the  
8 spot, but did it get like a lot better when we did that?

9 MS. KULAGA: I think that a lot of the odors  
10 went away. My husband and I, when he was alive, we used  
11 to follow odors sometimes like early in the morning. And  
12 every odor really wasn't Corn Products. I mean I pick on  
13 them about the sulfur dioxide and stuff. But truthfully,  
14 there is so much in this area around here that gives us  
15 those beautiful smells, too.

16 MR. MAYERHOFER: One last thing for the IEPA.  
17 Will all these questions that are being asked by all the  
18 residents and everybody that's been asking questions

19 tonight, will they be answered in this Responsive Summary?

20 HEARING OFFICER MORENO: Yes. The questions  
21 that relate to the permit will be.

22 MR. MAYERHOFER: So there will be answers for  
23 the questions?

24 HEARING OFFICER MORENO: Yes. There will be

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1 answers. Some of the questions may be combined. If two  
2 or three people have made the same comment, we may combine  
3 it into like an issue. But, yes, these will. That's one  
4 of the requirements of our regulations, that we, that  
5 these things be answered. Okay?

6 MR. MAYERHOFER: Thank you.

7 HEARING OFFICER MORENO: And, Mr. Jirik, I would  
8 like to thank you very much for your kindness in  
9 clarifying things here for the citizens. I realize that  
10 this isn't, you know, that some of these things aren't  
11 necessarily part of the permit. But I do appreciate the  
12 fact that we have been able to use this hearing to address  
13 some concerns of the citizens that aren't strictly permit  
14 related. So thank you very much for that.

15 MR. JIRIK: Thank you. And I would just add  
16 just a reiteration of my earlier statement that we openly  
17 communicate with the community. And we would be glad to  
18 give you ways to reach us after this so we can get to  
19 continue the dialogue.

20 HEARING OFFICER MORENO: Okay. I think we have  
21 come to the end. I would like to thank all of you for  
22 your participation. And I would like to remind you that,

23 if you want to tell us more, you can write us letters,  
24 comments. And anything that we receive by midnight or

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1 that is postmarked by midnight April 2nd will be made part  
2 of the record and will be addressed. We have received I  
3 think a couple of comments already. Those comments will  
4 be addressed as part of the Responsiveness Summary. So  
5 again, I would like to thank you very much. And I would  
6 like to close the record at this time. Thank you.

7 \* \* \*

8 (which were all the proceedings had in  
9 the above-entitled cause.)

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1   STATE OF ILLINOIS   )  
2   COUNTY OF DU PAGE   )   ss.

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4                   I, JANICE H. HEINEMANN, CSR, RDR, CRR, do  
5 hereby certify that I am a court reporter doing business  
6 in the State of Illinois, that I reported in shorthand the  
7 testimony given at the hearing of said cause, and that the  
8 foregoing is a true and correct transcript of my shorthand  
9 notes so taken as aforesaid.

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12                   \_\_\_\_\_  
13                   Janice H. Heinemann CSR, RDR, CRR  
14                   License No 084-001391

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